

AMENDMENTS TO THE DRAWINGS

AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawings includes changes to Figs. 6 and 26-30. These sheets, which include Figs. 6 and 26-30, replace the original sheets including Figs. 6 and 26-30.

In Fig. 6, the caption "ACCUMULATED AMOUNT HAS DECREASED TO THRESHOLD?" in block S29 has been changed to "ACCUMULATED AMOUNT HAS REACHED ~~DECREASED TO~~ THRESHOLD?". In Figs. 26-30, the label "BACKGROUND ART" has been added.

It is respectfully requested that the corrected drawings be approved and made a part of the record of the above-identified application.

Attachments: Replacement Sheets (6)
Annotated Sheets (6)

REMARKS

Applicants thank the Examiner for the thorough consideration given the present applicant.

Claims 1-20 are pending in the present application. Claims 1, 3, 5-11, and 13-19 have been amended. Claim 20 is new. Claims 1, 18, and 19 are independent claims.

The Examiner is respectfully requested to reconsider the claim rejections in view of the following remarks.

Allowable Subject Matter

It is gratefully acknowledged that the Examiner considers the subject matter of claims 5-8 and 13-16 as being allowable if rewritten in independent form. However, Applicants earnestly believe that these claims are dependent upon allowable base claim (claim 1) and thus, are presently in condition for allowance by virtue of there dependency on an allowable claim.

Claim for Priority

It is gratefully acknowledged that the Examiner has recognized Applicants' claim for foreign priority. In view of the fact that Applicants' claim for foreign priority has been perfected, no additional action is required from Applicants at this time.

Information Disclosure Statement

The Examiner has acknowledged the Information Disclosure Statement filed on August 15, 2001. An initialed copy of the PTO-1449 has been received from the Examiner. No further action is necessary at this time.

Drawings

Attached herewith are drawing corrections in which Figs. 26-30 have been revised to include the legend "BACKGROUND ART" in response to the Examiner's objection to these figures.

Furthermore, the attached drawing corrections include a revision to Fig. 6 in which a typographical error has been corrected. Specifically, the caption in block S29 has been changed to "ACCUMULATED AMOUNT HAS REACHED ~~DECREASED~~ TO THRESHOLD?". It is respectfully submitted that this correction of Figure 6 does not add any new matter to the present applicant because it is fully supported in the specification at, e.g., page 53, lines 18-24.

Rejection under 35 U.S.C. §102

Claims 1-4, 9-12, and 17-19 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,541,926 to Saito et al. (hereinafter Saito). This rejection is respectfully traversed.

It is respectfully submitted that independent claims 1, 18, and 23 are not anticipated by Saito. MPEP §2131 sets forth the following:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."

It is respectfully submitted that Saito does not set forth each and every element as defined in claims 1, 18, and 19. Specifically, these independent claims recite providing a buffer in each of a plurality of time slots to which data is distributed to be sent out to an STM circuit interface. These features are not disclosed by Saito.

Saito discloses an Asynchronous Transfer Mode (ATM) cell disassembly device, which includes an ATM processing unit 601, a buffer unit 602, and an output processing unit 603. Specifically, Saito discloses that the ATM processing unit receives the ATM cells and extracts data to be reproduced as Synchronous Transfer Mode (STM) signals. The extracted data is inserted into the buffer unit 602, which functions as a first-in first-out (FIFO) memory. Saito's output processing unit reproduces STM signals by taking data out from the buffer unit and loading them into prescribed frame positions (i.e., time slots) to form the STM frame. See column 20, lines 5-35; column 31, lines 4-11.

As indicated on page 3 of the Office Action, the Examiner relies upon the jitter absorption buffer unit 612 in Saito's ATM

processing unit to teach a buffer provided in each time slot to absorb fluctuations of the cell. Applicants respectfully submit that Saito's jitter absorption buffer unit is a **single** buffer that is used to store the ATM adaptation layer (AAL) header and the payload of a particular cell, before the header and payload of that cell is analyzed by the AAL processing unit 613 (see column. 21, line 66 - col. 22, line 2). There is no teaching in Saito that the data of the ATM cell is distributed in particular time slots before it is stored in the jitter absorption buffer unit. Also, since Saito only discloses one jitter absorption buffer unit, it cannot be interpreted as a buffer provided in **each of a plurality of time slots** as required by the independent claims.

Furthermore, Saito discloses that after the AAL processing unit processes the header and payload of the ATM cell (to check for cell loss or cell misinsertion), the ATM cell data is sent to the re-assembly unit 622 and output to the buffer unit 602 (see column 24, lines 13-50; column 25, lines 25-35.) Thereafter, Saito discloses that the output processing unit receives the ATM cell data from the buffer unit and sends it to an STM frame processing unit 642. Saito discloses that this STM frame-processing unit is responsible for distributing the cell data into the various time slots of the STM frame, in accordance with signals from a control unit 604 (column 26, lines 7-46). Thus, Saito discloses that the ATM cell data is distributed into a plurality of time slots

corresponding to an STM frame **after** the data has been stored in both the jitter absorption buffer unit 612 and the buffer unit 602. Accordingly, neither of these buffers can be reasonably interpreted as "a buffer provided in each time slot," as required by independent claims 1, 18 and 19.

Since Saito fails to disclose each and every claimed feature, applicants respectfully submit that the Examiner has failed to provide a *prima facie* case of anticipation under §102(b) in relation to independent claims 1, 18, and 19. Thus, it is respectfully submitted that claims 1, 18, and 19 are allowable for at least discussed above. Furthermore, it is respectfully submitted that claims 2-4, 9-12 and 17 are allowable at least of there virtue of there dependency on independent claim 1.

New Claim

Claim 20 is newly added to the present application. It is respectfully submitted that the filing of claim 20 does not add any new matter to the present application. Instead, applicants submit that claim 20 is supported in the specification at, e.g., page 52, lines 7-16.

No Prosecution History Estoppel

Various clarifying amendments have been made to claims 1, 3, 5-11, and 13-9. It is respectfully submitted that these were not made for any reason relating to patentability. Specifically, none of the claim amendments will effect the interpretation by the Examiner under which these claims were examined. Accordingly, Applicants respectfully submit that these clarifying amendments do not give rise to any estoppel, and that these claims are entitled to their full range of equivalents during future consideration.

Conclusion

In view of the above remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Michael K. Mutter, #29,680


MKM/JWR/fjl

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s): Replacement Sheets (6)
Annotated Sheets (6)



ANNOTATED SHEET

6/29

FIG.6

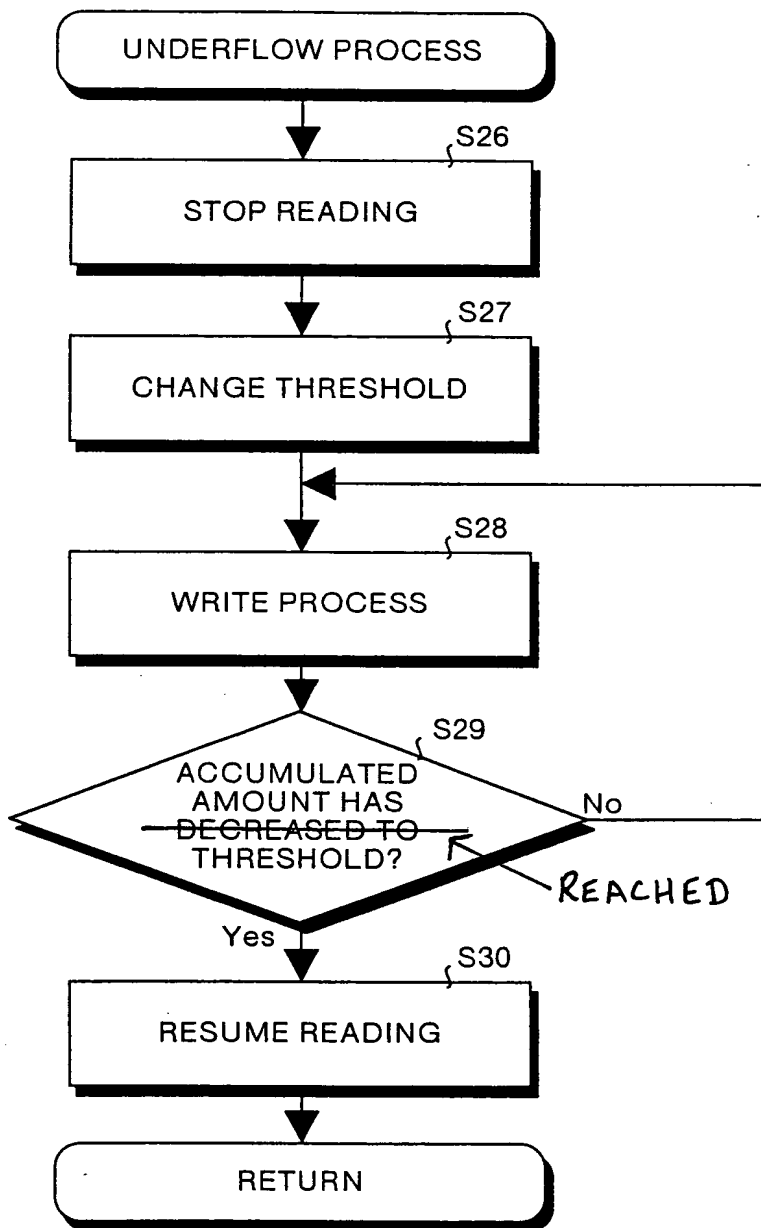
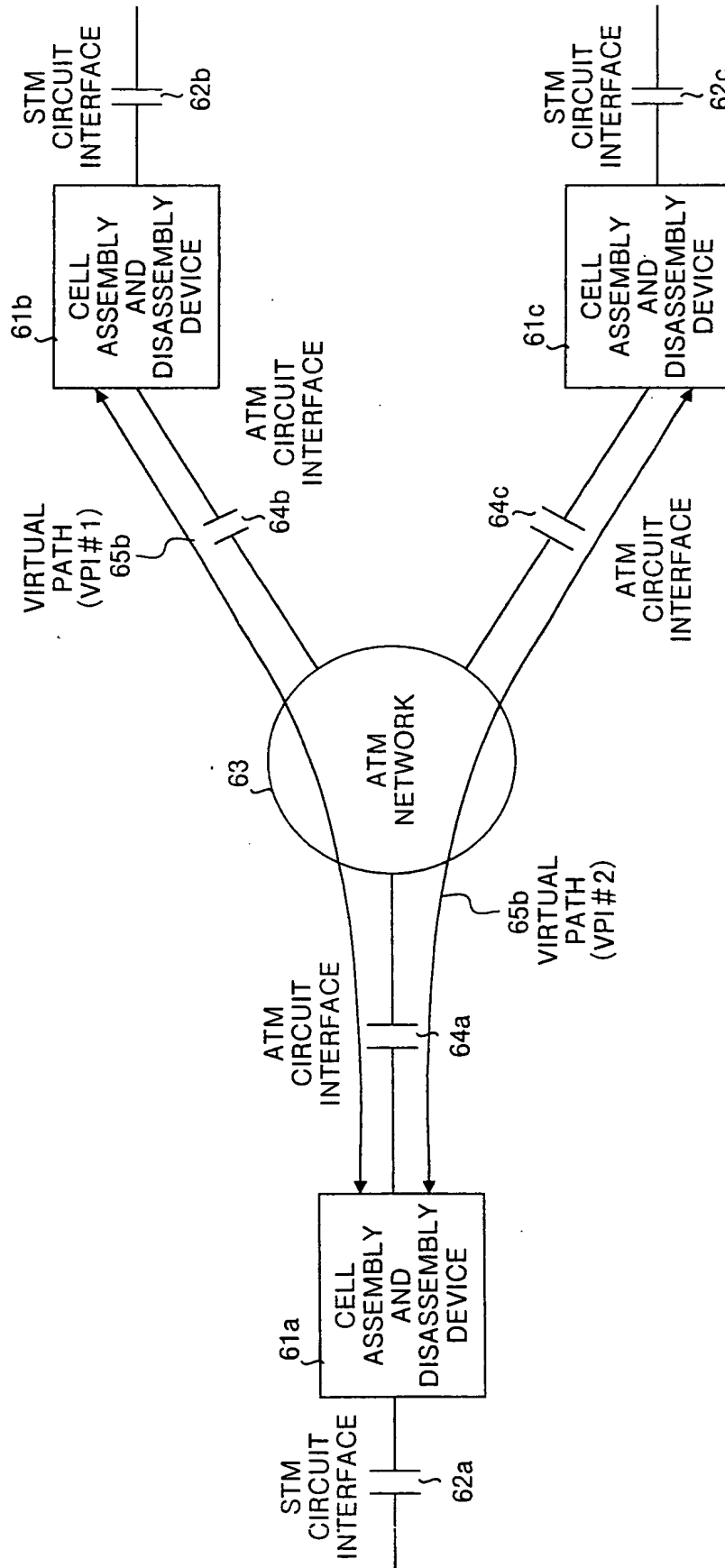
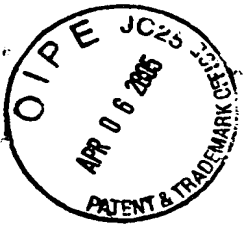


FIG. 26
BACKGROUND ART



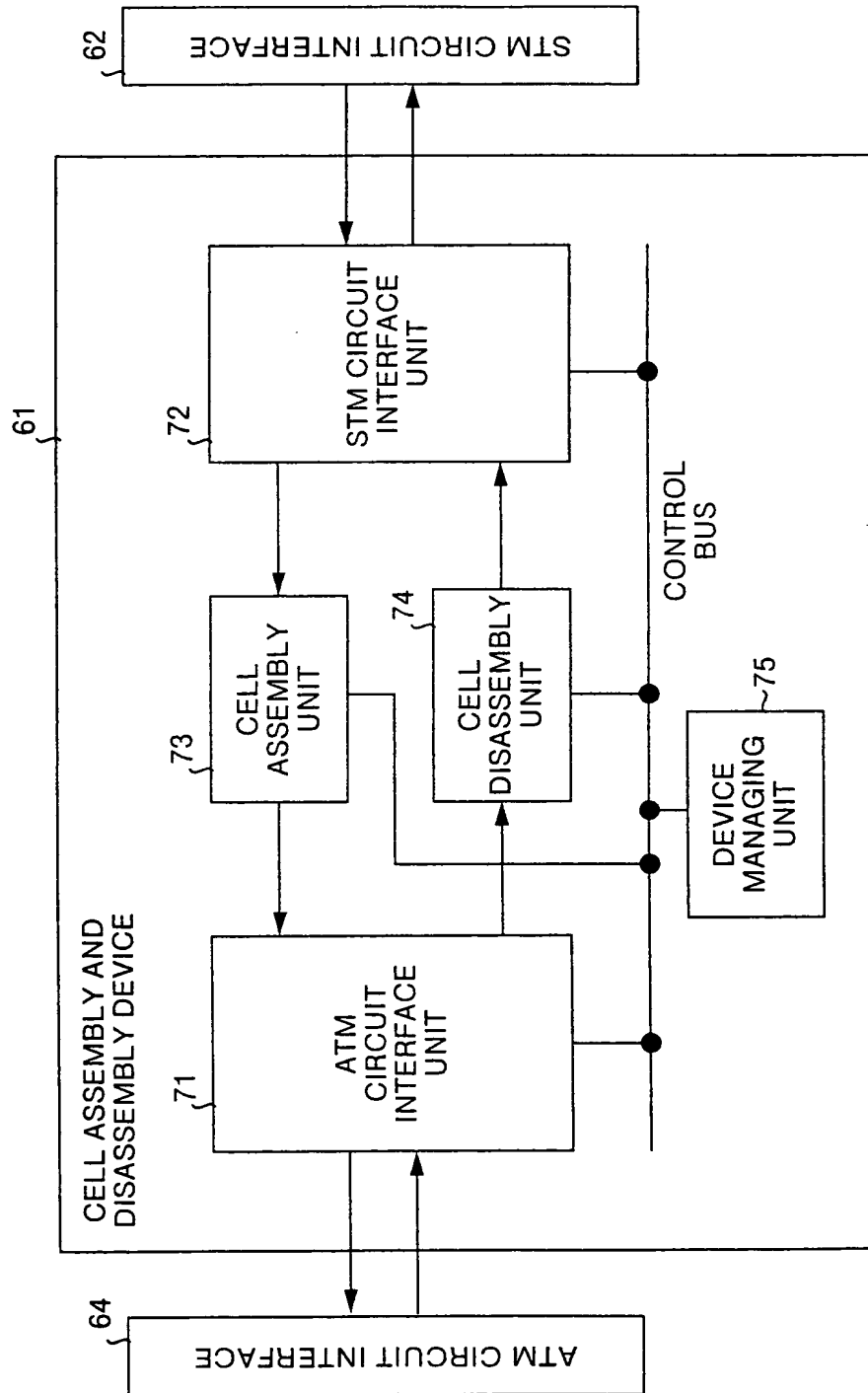


ANNOTATED SHEET

26/29

FIG.27

BACKGROUND ART



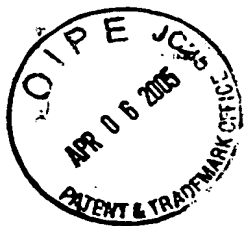


FIG. 28
BACKGROUND ART

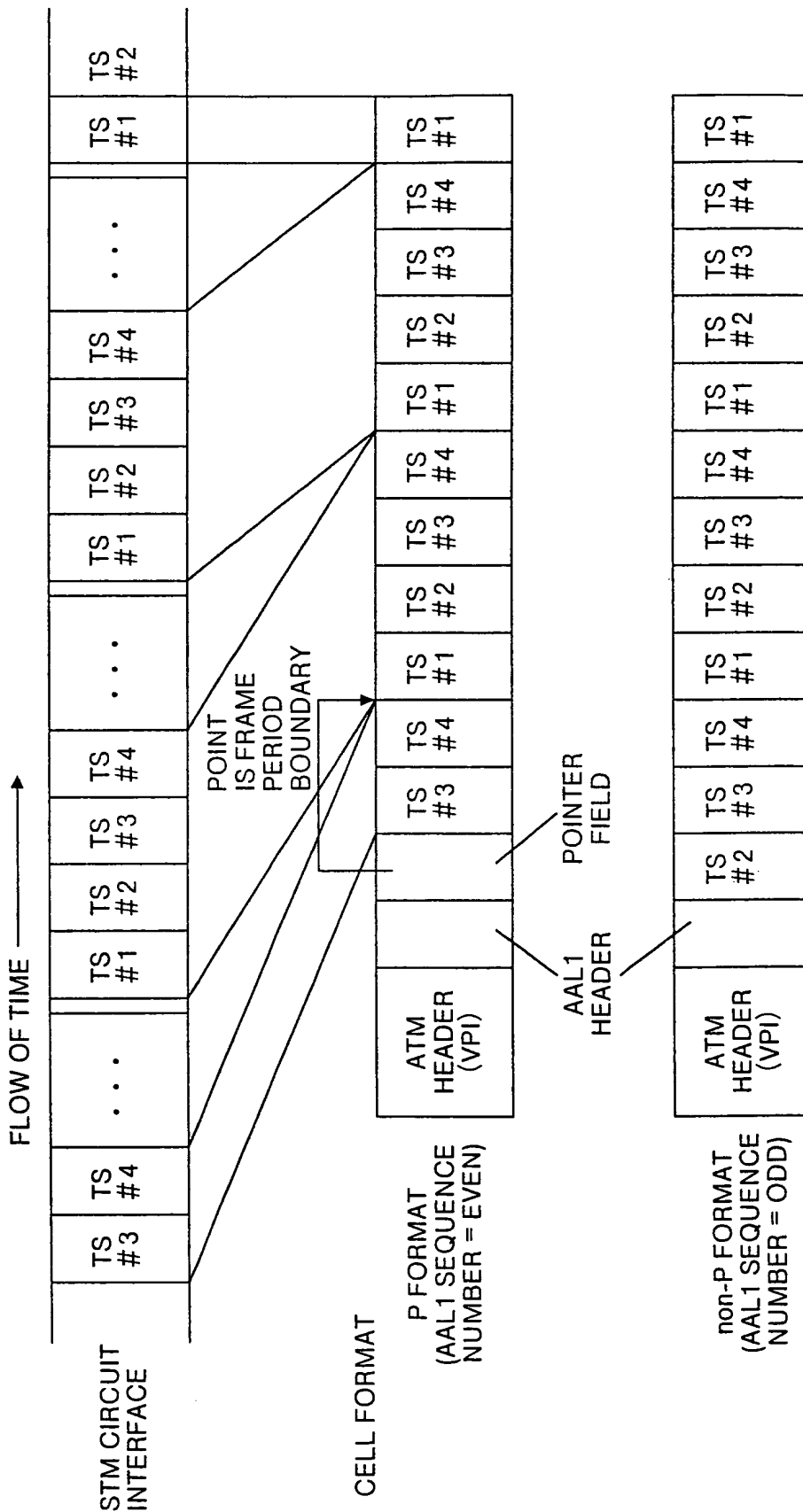


FIG.29
BACKGROUND ART

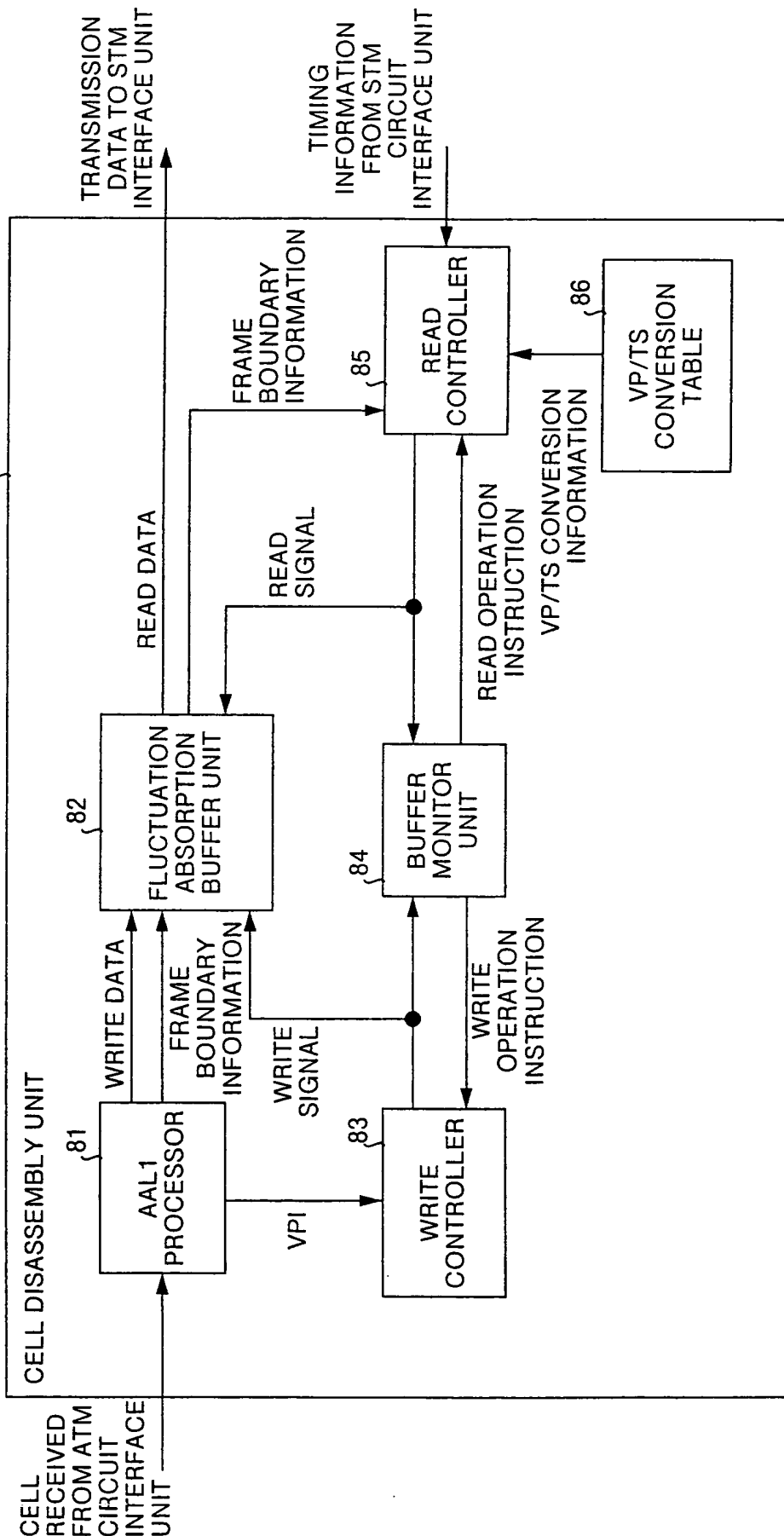




FIG.30

BACKGROUND ART

